IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

Bail Appl..No. 1317 of 2007()

CRIME NO.73/05 OF EROOR POLICE STATION

: PETITIONER/ACCUSED

S.USHAKUMARY, W/O. K.P.RAJU,
AGED 34 YEARS, MANGALASSERY HOUSE,
PANDARAKONAM, ALANCHERRY, EROOR P.O.,
KOLLAM DISTRICT.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE S.I. OF POLICE,
EROOR POLICE STATION, KOLLAM DISTRICT.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1317 OF 2007

Dated this the 6th day of March, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the first accused in Crime No.73/2005 of Eroor Police Station for offences punishable under Secs.408, 465 and 471 I.P.C. for allegedly misappropriating a sum of Rs.1,03,819/- from the Bharatipuram Ksheerolpadaka Co-operative Society during the period from 9.5.1999 to 1.8.2002, seeks anticipatory bail.

2. In as much as the petitioner was suspended and subsequently terminated from service and she has no access to the records pertaining to the Society and also having regard to the fact that the petitioner is a lady, I am inclined to grant anticipatory bail to the petitioner but on appropriate conditions safeguarding the interest of the prosecution. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of her arrest in connection with the above case on her executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

b. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

c. Petitioner shall not commit any offence while on bail.

d. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to her shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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